



September 12, 2017

Proceedings, transactions and resolution made and order of said record of said Board in the Village of Diamond, IL on the 12th Day of September, 2017.

The scheduled meeting of the Diamond Village Board was held on Tuesday, September 12, 2017 at 6:00 p.m. with Mayor Teresa Kernc presiding. Upon roll call Commissioners present were Mark Adair, Jeff Kasher and Carolyn Wilson. Absent-Dave Warner.

Approval of Minutes

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Adair to approve the 8/22/2017 regular meeting minutes as reviewed and place on file. **All Ayes; Motion Carried.**

Approval of September 12, 2017 Bill List

MOTION was made by Commissioner Wilson, **SECOND** by Commissioner Kasher to approve the September 12, 2017 bill list and place it on file. **All Ayes; Motion Carried.**

Public Comment

None

New Business

Coal City Planned Truck Routing

Mayor Kernc presented an overview of the letter and map of the proposed truck route received from Matt Fritz, Village Administrator for the Village of Coal City. Kernc responded to Coal City that she would be addressing this as an agenda item at our board meeting for an official response. Kernc stated in 2011, Will Road from Route 113 to Reed Road was designated a Class 3 Federal Truck Route after working with Braidwood, The Will County Governmental League and IDOT. Broadway Street in Coal City is also designated as a truck route. The decision designating Will Road also took into account the west side of Will Road is residential and the east side is zoned commercial, light industrial and retail development. Kernc stated the Village felt that Will Road would be the best location for a truck route. In January, Kernc will be addressing the board for permission to submit a multimillion dollar grant to enclose the ditch from IL Route 113 south to Spring Road and to widen it to three lanes with a center turn lane so cars and trucks can travel safely together on it. Kernc stated, this is not the scenario for Berta Road. Except for the commercial property on the corner of Berta Road and IL Route 113, we anticipate the remaining will be highly residential. The planned truck route presented to us, does not fit into our planned community and I don't believe it would be safe.

Kernc added, Broadway Street, Route 113, Will Road and Reed Roads are all designated truck routes. The proposed planned truck route was displayed on the screen for those in attendance to view. Commissioner Kasher stated this proposal does not make sense. The letter highlighted Coal City's industrial growth on the south side of town so, it would make sense to utilize Reed Road and access I-55 directly. Kasher added, 5th Street is not built for truck traffic so those roads would need to be rebuilt. That road is all residential, which makes no sense when Reed Road is a designated truck route and more easily accessible. Commissioner Kasher stated he is totally against this planned truck route proposed by Coal City. Commissioners Wilson and Adair agreed with Kasher. Mayor Kernc stated she does not want the Village of Diamond's portion of Berta Road to be included in Coal City's local

truck route plans. Resident Bob Bianchetta stated he is one of the owners of 2 parcels on the north side of Spring Road. (Bianchetta Farms). He stated both Villages have proposed that area for residential zoning. Bianchetta stated residents bike and jog on this road and if we even thought of doing this, the Village of Diamond would have to redesign the road and we would have to pay for it as a Village, because Coal City would not. He cannot see any justification for the Village to approve this route. Bianchetta is opposed of this plan. Residents Al and Linda Brown agreed with Bianchetta along with Al Swiggett. Swiggett stated, he jogs up and down the road daily and the road is barely equipped to handle the traffic it has now. Swiggett added, it would make no sense to run trucks up and down the road. The planned truck route makes absolutely no sense. He is opposed of the planned truck route. **MOTION** was made by Commissioner Adair, **SECOND** by Commissioner Kasher not to support Coal City's planned truck route utilizing the Village of Diamond's section of Berta Road. **All Ayes; Motion Carried.**

Presentation from Kankakee River Valley Water Planning Area Alliance

Kathleen Elliott, Joe Cosgrove and Chris Brown were present representing the Kankakee River Valley Water Planning Area Alliance. Elliott presented information regarding the necessity for this Alliance. Elliott stated the focus is connecting member community water systems to provide emergency support and share excess water supply capacity. The ten-year plan is to gain access to the sustainable and abundant water supply of the Kankakee River and deliver those waters to our region. Diamond would be on the executive committee and have a lead role in decision making. Joe Cosgrove stated communities need a voice and secure resources for public use. Cosgrove said securing the permit is the first step of the process. After discussion, it was decided to move forward with the Intergovernmental Agreement.

Approve Ordinance 2017-16; Authorizing the Execution of an Intergovernmental Agreement for the Voluntary Formation of the Kankakee River Valley Planning Area Alliance

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to approve Ordinance 2017-16; Authorizing the Execution of an Intergovernmental Agreement for the Voluntary Formation of the Kankakee River Valley Planning Area Alliance. **All Ayes; Motion Carried.**

Approve sewer credit of \$16.60 to 210 N. School St.

Mayor Kernc stated this item was discussed at the previous board meeting and needs formal approval. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Adair to approve a sewer credit of \$16.60 to 210 N. School St. **All Ayes; Motion Carried.**

Approve Atlas Companies Phased Market Study Proposal; Phase 1: \$ 4,000.00 plus out of pocket expenses.

Mayor Kernc stated this is a result from the presentation at the previous board meeting. Kernc stated Attorney John Gallo approved it with the removal of Addendum D. Kernc stated she reached out to Tom Deters and said the Village of Diamond is not in the position to finance this project. Diamond could expand Enterprise Zone and Kernc could reach out to the taxing bodies to put together a tax abatement, except for the Fire Protection District, since this type of facility would generate ambulance calls. Kernc stated she feels this is something that the area needs and would like to offer it to the residents and surrounding communities. Commissioner Adair wanted to clarify the Phase 1 study and what it would encompass. Commissioner Kasher is concerned if Phase 1 is completed with positive results and Phase 2 fails, then the Village is out of the money and the project. After discussion, decision was made to obtain a copy of a previous market study with details and would also like amend the proposal with a "do not exceed" amount for the out of pocket expenses. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to move Atlas Companies Phased Market Study Proposal to old business. **All Ayes; Motion Carried.**

Approve Sheryl McDaniel's Travel Expense for IEZA Conference in the amount of \$ 424.78 plus meals

Mayor Kernc stated this is for Village Treasurer Sheryl McDaniel to attend the Illinois Enterprise Zone Association Conference. **MOTION** was made by Commissioner Wilson, **SECOND** by Commissioner Adair to approve Sheryl McDaniel's Travel Expense for the IEZA Conference in the amount of \$ 424.78 plus meals. **All Ayes; Motion Carried.**

Approve Estimate and Payback for DCEO Illinois Energy Now Program Grant Application/Twin Supplies, Ltd. for LED Theme Streetlight Bulbs and Subdivision Streetlight Assemblies to Twin Supplies, Ltd. For 86 LED Cobraheads in the amount of \$ 6,822.38

Mayor Kernc stated this is a grant which will pay 75% of the cost for LED replacement lighting for our subdivision lights. Replacing the bulbs will pay for themselves in 1 year. The agreement states they must be installed by the end of the year. Kernc said the bulbs should last 10 years and if for any reason, they become inoperable, they will be replaced free of charge. Commissioner Kasher stated this is an easy decision. **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Adair to approve Estimate and Payback for DCEO Illinois Energy Now Program Grant Application/Twin Supplies, Ltd. For LED Theme Streetlight Bulbs and Subdivision Streetlight Assemblies to Twin Supplies, Ltd. For 86 LED Cobraheads in the amount of \$ 6,822.38. **All Ayes; Motion Carried.**

Approve Conley Proposal in the amount of \$10,000.00 for Concrete Trough in Detention Pond.

Mayor Kernc stated consensus was received and Conley will be pouring concrete tomorrow. Conley will shape sides and taper for proper drainage into the trough. **MOTION** was made by Commissioner Wilson, **SECOND** by Commissioner Kasher to approve Conley Proposal in the amount of \$10,000.00 for Concrete Trough in the Orchard Park Detention Pond. **All Ayes; Motion Carried.**

Approve First Amendment to Development Agreement (Diamond Center Subdivision)

Village Engineer Mike Perry stated Village Planning and Zoning Coordinator Cindy Haywood has been working with him on this project. Perry stated the property owner wants to remove existing concrete on west side of building and install new concrete on east side of building to provide a drive-up window for Little Caesars. Perry stated they are still requesting traffic flow provisions, along with parking space depth. Perry stated they are still waiting for confirmation to provisions. This amendment is part of Ordinance 2017-14.

Approve Ordinance 2017-14; Authorizing the Execution of First Amendment to Development Agreement (Diamond Center Subdivision)

MOTION was made by Commissioner Adair, **SECOND** by Commissioner Kasher to approve Ordinance 2017-14; Authorizing the Execution of First Amendment to Development Agreement (Diamond Center Subdivision) subject to Chamlin Associates review and site plan approval. **All Ayes; Motion Carried.**

Approve Ordinance 2017-15; Ordinance Establishing a System for Licensing of Raffles

Mayor Kernc stated this was completed promptly due to the raffle difficulties in Morris. Village Attorney John Gallo stated it is a state law that raffles are considered gambling which is a violation of the criminal code. However, the code then refers to the raffle act which basically allows not-for-profit charitable organizations and those individuals raising money to assist those who have endured a hardship, the ability to hold a raffle. However, those organizations are only allowed to do so if the municipality and/or county board where the raffle is to be located adopts an ordinance establishing

the rules and regulations and issuing the license for the raffle. Gallo stated 90% of the ordinance came directly out of the state ordinance. There are areas which can be changed based on the municipalities desires. Gallo discussed the 3 types of licenses, the limitation amounts and license fee structure. After discussion, changes to fees and limitation amounts were discussed and agreed on and would like to see those changes, therefore **MOTION** was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to move Approval of Ordinance 2017-15; Ordinance Establishing a System for Licensing of Raffles to old business. **All Ayes; Motion Carried.**

Approve Final Payment in the amount of \$7,829.95 to Elliott Electric for Emergency Generators Project

Village Engineer Mike Perry state this is the 5% retainer amount that was held for the project which has been completed. **MOTION** was made by Commissioner Wilson, **SECOND** by Commissioner Kasher to approve final payment in the amount of \$7,829.95 to Elliott Electric for the Emergency Generators Project. **All Ayes; Motion Carried.**

Discuss and Approve options for the Disposal of old F-250 truck

Village Attorney John Gallo stated an Ordinance Authorizing the sale or disposition of surplus property must be passed to dispose of the vehicle. Commissioner Jeff Kasher stated there is a website GovDeals.com which could be used to sell the vehicle and feels it would be the best platform for disposal of the truck. This item was passed until the September 26, 2017 meeting to approve appropriate ordinance for the sale or disposition of surplus property.

Old Business

Approval of Comcast Franchise Agreement

This item was tabled.

Grundy and Will County Sheriff's Monthly Update

Mayor Kernc presented the report from the Grundy County Sheriff's Department.

Legal Counsel

No Report

Engineer Updates

Village Engineer Mike Perry stated he is still working on a cost estimate for the sidewalk on IL 113 from McGinty St. to Berta Road just to have the figures. Perry stated all the storm sewer work has been completed and starting Thursday, the widening of IL 113 will begin and plans to pour the concrete is scheduled for next week. D Construction plans on completing the project by the end of the year with only the restoration work to be completed in the spring. Pre-construction meeting took place last week regarding the 4th pump at the sewer plant. Project will start once materials have been received.

Maintenance Updates

Public Works Director Austin Vining stated the storm sewer project on Clark St. has been completed. The new truck has been delivered and is currently being undercoated then installation of bed liner will be completed. Vining stated trench box and confined space training is tentatively scheduled next week for the maintenance personnel.

Clerk Updates

No Report

Commissioner Comments

Commissioner Kasher:

No Report

Commissioner Wilson:

No Report

Commissioner Adair:

No Report

Commissioner Warner:

Absent

Mayor Kernc:

Mayor Kernc stated she will be attending the Illinois Municipal League Conference, September 20-24, 2017.

Adjournment to Closed Session (Ligation)

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Adair to enter closed session at 7:58 p.m. **All Ayes; Motion Carried.**

MOTION was made by Commissioner Kasher, **SECOND** by Commissioner Wilson to enter back into open session with no action taken at 8:19 p.m. **All Ayes; Motion Carried.**

Motion to Adjourn

MOTION was made to adjourn the meeting at 8:20 p.m. by Commissioner Kasher, **SECOND** by Commissioner Adair. **All Ayes; Motion Carried.**

Respectively Submitted:

Lori Holmes, Clerk